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MEDIA RELEASE

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METRO VANCOUVER TO SEEK CLARITY FROM THE COURTS ON EXPROPRIATION OF PARKLAND TO SETTLE ABORIGINAL CLAIMS

Metro Vancouver's Board of Directors will launch a constitutional challenge to recent provincial legislation that has resulted in the transfer, without compensation, of land in Pacific Spirit Regional Park to the Musqueam Indian Band.

The Board will ask the courts to rule on whether the province has the constitutional authority to expropriate land for the settlement of First Nations' title and rights claims, in that First Nations' title and rights are an area of exclusive federal jurisdiction.

"Metro Vancouver fully supports provincial efforts to achieve reconciliation with the Musqueam people and other First Nations communities," said Board Chair Lois Jackson. "This legislation, however, sets a precedent for the expropriation of municipal and regional assets and is contrary to previous commitments made by the province that municipal and regional parklands would not be used to resolve Aboriginal claims."

Bill 12 – 2008, the Musqueam Reconciliation, Settlement and Benefits Agreement Implementation Act, transfers two parcels of land in Pacific Spirit Regional Park to the Musqueam Indian Band and precludes legal proceedings for damages or compensation against the province, the band, or a designated company in regards to the transfer.

"The provincial decision to expropriate these lands to settle Aboriginal claims has potential ramifications far beyond Pacific Spirit Regional Park and it is imperative that we are clear on the constitutional authority under which the expropriation has proceeded," Chair Jackson said.

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